



March 17, 2004

Assistant Commissioner of Patents

Washington, DC 20231

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PROTEST UNDER 37 CFR 1.291(a)

Re: Advertisement display system in map-information providing service

US File: **20010013013**

Filed: February 5, 2001

Sirs:

Recently I found the above referenced patent filing and believe this filing has NOT issued in the U.S. The US File # is **20010013013**

I am voicing an objection as a concerned third party and as a U.S. Citizen. The patent filing describes at great length an advertising delivery system dependent upon an advertising database maintained at wireless client terminals (0027) (i.e. in-vehicle map display systems) in a client-server ad delivery system. (0027) (0035) The appropriate ads are selected through profiling techniques including geography at the server level then a database is created and downloaded (syncing) via the internet or radio/satellite transmission (0011) or otherwise to a wireless or other radio type device that delivers advertising to an "Advertising Display System [ADS]" based upon location/time, behavioral history, in reaction to a user controlled executable program or other voluntary user actions. (0012) (0031) The input to the ADS is matched to the output of a GPS to determine if display is appropriate. (0030) It is important to note when an ADS mapping capability is described it also includes advertisements being downloaded and stored at the wireless terminal. (0033) (0011)

Relevant Claims are: 1, 2, and 3. The abstract reads, "An advertisement site (S3) displaying advertisements on a map image (M) displayed on a user terminal (T) includes a advertisement server (S3a) for displaying a route setting and advertisements situated along the set route (R) on the map image (M), a route database (3Sb) storing road data on a map required for setting a route in the advertisement server (3Sa), and an advertisement database (S3c) storing registered advertisement data. The advertisement server (3Sa) sets a route based on the road data stored in the route database (3Sb), and reads out advertisements situated along the set route from the advertisement database (3Sc) to display them on the user terminal (T)."

Consistently, the inventor describes the invention in internet (0035) terms ... because it is simply an extension of an electronic communication system, as is

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the internet, relating to advertising delivery. Moving from Point A to Point B as well as the time frame you move from A to B are purely voluntary user events similar to surfing the internet and going to web sites at will. In a GPS (0030) or other location based system, advertising is delivered (pushed), stored (0011) and displayed based upon these voluntary user actions in one form or another, albeit audible or a monitor screen or other messages that may be displayed as points of interest on a visible map, when made by comparison to the dynamic longitude and latitude coordinates to an advertising database containing geographical and/or time frame coordinates and maintained dynamically at the client level mobile terminal and the location of advertisers. The ads are then delivered to users consequential to his or her actions, program selections or even personal history. Ads may also be displayed as a result of profiles containing voluntary user actions such as education, presence of children and residence location. Descriptions of these actions and functions are described in (0011) (0012) (0014) (0027) (0030) (0031) (0033) (0035) and others.

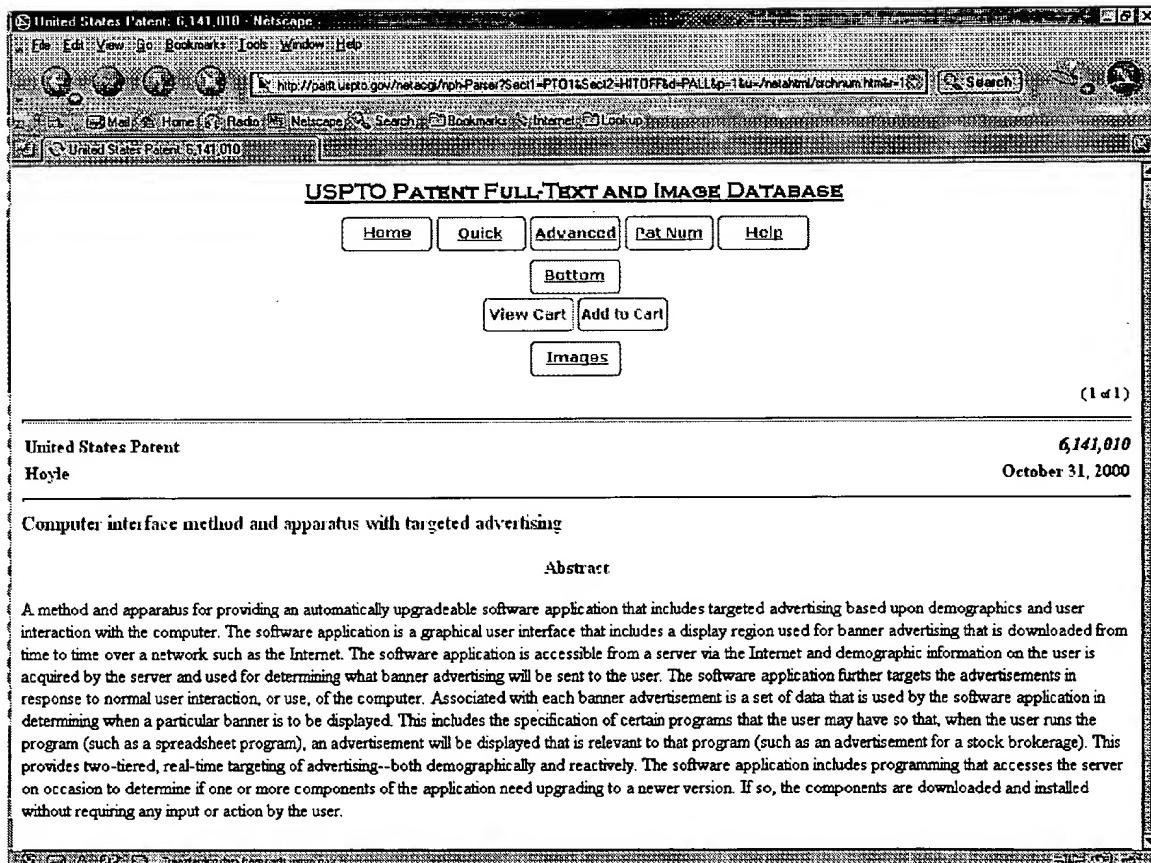
This is referred to as "pull" advertising as voluntary actions on the part of users interact with a pre-established database and targeted ads are displayed.

I am objecting to this patent application, as it is neither novel nor unique. It is of particular note that little prior art was submitted with this filing and only some vague references to server profiling systems. The filers are correct that a targeted system based on URLs or keywords or geography or voluntary user actions is more accurate and excels in its ability to deliver "relevant" ads at the exact moment of interest. However, the filers did not include the following references, all of which precede this Application:

1. US Patent 6,141,010 ... similar technology
2. Gator.com (recently changed to Claria.com) has been marketing such a system since 1998 or 1999
3. WO9955066 (A1) or EP1076983 (A1) ... similar technology

There may be more prior art preceding the 2/5/2001 filing.

I believe the Examiner should look very closely at the Claims made and judge accordingly.



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CLARIA Corporate Overview

CLARIA

CORPORATE OVERVIEW

Corporate Overview

Claria Corporation Overview

Claria Corporation is the leader in online behavioral marketing, serving over 38 million consumers and more than 900 Advertisers – including over 80 Fortune 1000 companies. Claria publishes advertising messages for top tier companies and agencies to consumers who are part of the GAIN Network, Claria's network of over 38 million consumers who agree to receive advertising based on their actual online behavior.

Unlike traditional demographic targeting, Claria's behavioral marketing model combines powerful insights into consumer behavior and the ability to deliver contextually targeted messages. The relevancy of the messages drives click-through and conversion rates up to 40 times higher than traditional banner ads – boosting campaign results to unprecedented levels. The difference is Claria's deep insights into consumer online behavior. Claria allows advertisers to target consumers based on their individual needs and interests resulting in industry leading ROI, not mass demographically targeted Web site populations.

In addition to its advertising network, Claria provides marketing research and business insights through its Feedback Research division. Feedback Research delivers in-depth analytics of consumer Web usage patterns across the entire Internet that cannot be attained via any other research provider. It also provides full service custom marketing research to Fortune 1000 clients. With exclusive access to the GAIN Network's 38 million consumers, Feedback Research surveys hard-to-reach consumers, based on their individual online behavior, quickly and cost-effectively.

History

Claria was founded in 1998 as The Gator Corporation to deliver the promise of one-to-one marketing on the Internet. The guiding vision was to develop a massive consumer audience by offering valuable web/software content for free in exchange for the right to show highly targeted advertising based on consumers' anonymous surfing behavior. Launched in June 1999, the Gator eWallet was the company's first free ad-supported software product, and it quickly grew to become the most popular product in its category.

By November 1999, Claria had revolutionized the online advertising industry by introducing its contextual and behavioral relevant online advertising model. This new advertising method resulted in unparalleled ROI for advertisers.

Claria headquarters are located in Redwood City, California, with U.S. offices in Los Angeles, Chicago, New York, Detroit, Austin, and International offices in the U.K. and Asia. Claria is backed by top-tier venture capitalists such as Greylock, Technology Crossover Ventures, U.S. Venture Partners, Investor AB, and Cross Creek Capital.

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TELEPHONE CALL MANAGEMENT SOFTWARE AND INTERNET MARKETING METHOD

Bibliographic data	Descriptive	Claims	INPADOC/LEGAL status
Patent number: CA2328913 Publication date: 1999-10-29 Inventor: ZETTERFELD KARL D (US) Applicant: ZETTERFELD KARL D (US)			Also published as: WO9955086 (A1) EP1076983 (A1)
Classification: - international: H04M00 - european: Application number: CA19982229013 19980414 Priority number(s): US19980002044 19980417 901100102 19980414			
View INPADOC patent family			
Abstract of CA2328913 A telephone call management computer program that provides both call management features and long distance savings for telephone consumers and marketing and advertising services for sponsor companies that wish to advertise to the consumer is disclosed. The call management program is initially stored on a host computer (12) and is then downloaded upon request to user computers (22) along with advertisement banners selected by the sponsor companies. When used, the program automatically front-loads a long distance carrier's PIC code in front of all long distance calls made from the user computers to permit consumers to automatically make long distance phone calls at discounted rates without memorizing numerous PIC codes and without continually shopping for the best long distance rate. The program also provides many enhanced telephone calling options and displays the banners and other advertising directly on the user computers (22) while the consumers use the program.			
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